

*Radke*

MAY 21 2007

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/759,627  
Filing Date January 12, 2001  
First Named Inventor Ryan J. Nobrega  
Art Unit 3692  
Examiner Name Liversedge, Jennifer L.  
Attorney Docket No. 3399P040

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed 05/21/2007 HDESTA1 00000082 09759627  
 Amendment/Reply 01 FC:1801 790.00 OP  
 Affidavit(s)/Declaration(s)  
 Information Disclosure Statement (IDS)  
 Other \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)  
b.  Other Fee Transmittal (in duplicate)

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666  
 RCE fee required under 37 C.F.R. § 1.17(e)  
 Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  
 Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action  
 Other \_\_\_\_\_

b.  Check in the amount of \$ 790.00 enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)

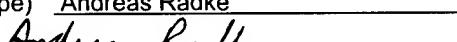
**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Jordan M. Becker Registration No. (Attorney/Agent) 39,602  
Signature  Date May 18, 2007

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Andreas Radke  
Signature  Date May 18, 2007

Express Mail No. (only if applicable): \_\_\_\_\_